PLANNING CONSIDERATIONS FOR INTERNATIONAL INVOLVEMENT IN THE ISRAELI-PALESTINIAN CONFLICT

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with
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On 5-7 January 2003, a group of Palestinians, Israelis and international officials convened for the first time to address the operational aspects of third party intervention in the current conflict. The meeting was hosted in Ermelo, the Netherlands by the Foundation de Burght, organized with Mercy Corps and co-sponsored by the Foundation for Middle East Peace and the Foundation de Oude Beuk. The aim of the discussions was to consider what can and cannot work from a functional perspective, within the context of social and political realities. The meeting explored a range of options and issues affecting the design of any third party international intervention in the West Bank and Gaza Strip. The participants combined local and regional expertise, knowledge of the parties' positions and experience in complex peace operations, with humanitarian, military and transitional political elements. This mixture of individuals allowed the synthesis of area-specific information and lessons of multi-dimensional missions to produce comprehensive planning considerations. The following report is a reflection of the issues discussed, and incorporates many of the ideas contributed by the participants. The content is the responsibility of the authors alone.

There is a range of international intervention, including monitoring and verification, traditional observation and peacekeeping, through to military enforcement and civilian "trusteeship." There is and will continue to be a minimum level of intervention required to be effective. This report addresses the kinds of demands that exist as a result of conditions on the ground and which need to be considered in operational planning for a third party role.

I. Urgency of Ground Conditions

Two-State Solution Threatened: A sense of urgency for third party intervention stems from the increasing threat to the viability and feasibility of a two-state solution to the Israeli-Palestinian conflict. This threat is an outcome of the desperate economic, demographic and security conditions on both sides, an erosion of mutual trust, and new realities on the ground that are altering the political landscape in a way that challenges the possibility of two separate states.

On the Palestinian side, the Palestinian Authority, without effective and transparent structures of administration, has been decimated and its power to govern severely compromised. In addition, the PLO has been losing popularity to more radical groups. The unprecedented boom in Israeli settlement construction in the occupied territories over the last decade and throughout the current crisis has completely fragmented the Palestinian territories. Palestinian trust that Israel wishes to conclude an agreement is no

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longer there, diminishing future prospects and the desire to conclude one. On the Israeli side, the credibility of the PLO and the Palestinian Authority has been gravely eroded, decreasing to an unprecedented low the support for peacemaking strategies and a permanent status agreement that would create a Palestinian state.

Furthermore, both the Israeli and Palestinian communities now attribute the worst motives to each other's political leaderships, leaving populations distrustful of the successful implementation of any agreement. The current trajectory of events is also undermining the two-state solution by weakening the respective peace camps and creating hard-to-reverse facts-on-the-ground, primarily settlement expansion by Israel and the fragmentation of the Palestinian structure of governance.

Cycle of Violence: In an intensifying escalation of violence, both Israelis and Palestinians are paying a dear price. According to some international staff estimates, Israeli military action is resulting in 60-80 Palestinian deaths per month, as well as the demolition of over one hundred homes. On the Israeli side, Palestinian suicide bombings continue to threaten the personal security and well being of its citizens. Both parties seem to be caught in a cycle of ping-pong acts of retaliation, dimming any prospect for an end to the violence.

Economic Realities: On the Palestinian side, socioeconomic conditions are deteriorating to unprecedented levels. According to World Bank data, some 63% of the population of the West Bank and Gaza Strip is living below the poverty line of $2 per day. The Palestinian socioeconomic situation is so severe that even doubling the level of international aid from the current $1 billion to $2 billion will reduce the poverty rate only by 9%, to 54%. Therefore it seems that humanitarian aid cannot be a solution to the devastated conditions of the Palestinian population. Furthermore, the Palestinian economy is dependent on the Israeli one, primarily through the labor market and the movement of goods. The restriction on movement between the two parties inflicts further damage to the Palestinian economy.

On the Israeli side, Israel is experiencing a severe and prolonged economic crisis. Since a record year of prosperity in 2000, the Israeli economy has been performing very poorly with negative per-capita growth rates and inflationary pressures. Without a shift in the current geopolitical reality, the prospect for Israeli economic growth is most likely to remain grim, even with the infusion of significant loans.

Demographic Realities: According to some estimates, the gap is closing between the number of Jews and Arabs living in the historical area of the British Mandate of Palestine, between the Jordan River and the Mediterranean, with the difference cited as approximately 200,000. Concurrently, Israeli settlements are continuing to expand, both numerically and territorially in the West Bank. The combination of these demographic and geographic trends enhances the functional integration of the West Bank into Israel, which can make the creation of two states more difficult.

<u>Palestinian Leadership</u>: The West Bank and the Gaza Strip have been divided into approximately 10 separate territorial units that maintain semi-independent micro-political/economic environments bearing little accountability to central Palestinian governance in Ramallah. There are grassroots and internal challenges to the leadership of *Rais* Yasser Arafat and the Palestinian Authority. However, it will likely take a certain amount of time—some say at least 2-3 years—before a new leadership gains power, with credibility and legitimacy. Furthermore, there is no guarantee as to what kind of leadership will ultimately emerge. The vacuum that is created by the disintegration of the Palestinian Authority is being filled by new local power holders, based on local clans or power barons, creating an overall environment of fragmentation. In addition, the IDF is gradually and reluctantly assuming civil functions over the Palestinian population.

<u>Violence Undermining Reconstruction</u>: The cycle of violence undermines reconstruction efforts. The available reconstruction budget of $1 billion is frozen due to donor reluctance to enter Palestinian areas and rebuild damaged infrastructure. The lack of security is compounded by the nature of the conflict, which often results in rebuilt infrastructure being damaged again.

<u>Security Fence</u>: Israel's security fence is becoming a fact on the ground, politically, economically and socially. On the Israeli side, the fence is one response to public pressure and is designed to enhance Israel's security. Israelis hope that the fence may, at a later phase, have a positive impact on the regularization and the systematization of checkpoints, allowing greater economic flow between Israel and the West Bank. On the Palestinian side, the fence will negatively impact Palestinian daily life, primarily the communities adjacent to the fence such as in the Tulkarm and Kalkilya districts. Furthermore, according to present indications, some 70-100,000 Palestinians will be living between the security fence and the Green Line, contributing to Palestinian fears of an internal population "transfer" by Israel. In addition, most Israeli settlers will be living east of the security fence.

<u>Specter of Worse Deterioration</u>: If current conditions continue to worsen along the existing trajectory, there are other nightmare situations possible. In the absence of an acknowledged Israeli or Palestinian negotiating partner, or without effective leadership by the international community, the violence may well escalate and the conflict will deepen. Some contend that if Arafat is removed, suicide bombings can be expected to increase, or if the Palestinian Authority is removed, then the collapse of the social and political order will inevitably accelerate, making it increasingly difficult for Israel to withdraw. Palestinian areas are in near full reoccupation now and Israel would be unable to leave behind the factional and anarchical conditions that will fill the resulting vacuum. Already, Jenin is virtually closed off to international personnel who are in the line of fire from both sides. Palestinians' long support for international personnel regardless of their national origins is beginning to dissipate. Rule of law institutions have broken down and are unable to respond to individuals at-large. International intervention can provide Israel the option of disengagement from chaotic conditions if it wants to.

On the other hand, some Israelis believe that if an interim agreement can be fashioned between the parties, with or without international involvement, it could be the beginning of a process that improves the lives of Israelis and Palestinians and leads to a permanent status agreement. Or, the situation could continue in a form that "bleeds" both sides indefinitely.

Sense of Hopelessness: There is a growing sense of nihilism amongst Palestinians. In the weeks before Operation Defensive Shield, a banner in Bethlehem read in English: "I die, I live". At checkpoints, Palestinians challenged to raise their shirts by the IDF to check for explosives sometimes have refused to do so, saying they can be shot but they will not raise their shirts. The revolutionary idealism of the Palestinian quest for independence is being replaced by a fatalistic belief that there is no alternative to the current conflict.

Israelis similarly have a sense of hopelessness. Between the understanding that there is no military solution to the conflict and the widespread belief that the Palestinian leadership is unwilling or unable to end the conflict, Israelis see no hope for any prospective solution. The painful effect of continued suicide bombings offers little vision for a future with promise and fulfillment. The IDF seems to have exhausted its portfolio of offensive moves to shape the outcome of the conflict and appears to be focused on just maintaining the status quo. At the same time, Israel finds itself engaged in actions that are sometimes the object of moral and ethical criticism.

No Vehicle for Resolution: No vehicle is apparent on the horizon that can convincingly provide a new pathway to peace, or that will be able to provide a baseline for the resumption of negotiations. No means are evident that can break the vicious cycle of violence. The reality on the ground is overshadowing all of the proposals that have been made to date.

Internationalization: The Israeli-Palestinian conflict is being increasingly internationalized. A number of personnel from various international organizations are already operating on the ground. A minimum level of third party intervention is perceived as the *sine que non* for progress by many. At the same time, for third party intervention to be effective, the level of commitment required is increasing as the situation gets worse and this threshold is likely to keep rising. International intervention may provide a tool for the parties and affected countries to stem the imbroglio; it may offer an exit strategy to Israel and recreate the opportunity for a two-state solution. One thing seems evident at this stage: the international community will not be able to spend its way out of the crisis. The problem is a political one and requires a political solution, ultimately in the form of an agreement between Israel and the Palestinians. Hence, it seems that only a comprehensive approach has the potential to shift the current trajectory of events and recreate the prospects of peace based on the mutual recognition of the right of self-determination for both parties within two viable states.

II. Convergence on International Intervention

Background Legacy: The Israeli and Palestinian sides have different legacies with regard to international intervention.

Israeli political and military conventional wisdom has traditionally been very suspicious of international intervention in general, and particularly in the context of the conflict with the Palestinians. It has maintained that an international intervention would act against Israel and in the favor of the Palestinian side. It has felt that a third party would not only support the Palestinian side but also limit the capacity of Israel to defend itself by military action. More dramatically, the legacy of Israel-UN relations is not favorable. From the experience of the withdrawal of the United Nations Emergency Force in 1967 from the line of control between Egypt and Israel to the experience of UNIFIL in Lebanon, this legacy is tainted by mutual disappointments.

Palestinian political conventional wisdom has been favorable toward international intervention, with the hope that it could potentially offset Israel's military and diplomatic advantage and offer an "objective" assessment of Israeli and Palestinian actions. However, over the course of two campaigns of resistance to Israeli occupation, Palestinians have become very resistant to any form of authority they consider illegitimate or impotent. The intervention will have to clearly indicate that they are in the region for the promotion of Palestinian goals of independence as much as they are there for Israeli goals of providing security.

At the same time, peace operations over the past decade have changed considerably from the traditional UN peacekeeping missions with which the parties have had experience or which form their perceptions of third party intervention. Since the end of the Cold War, a paradigm shift has occurred in the type and scope of missions deployed, providing a whole new range of options with which the parties need to become familiarized.

Convergence: The last year has seen increasing acceptability on both sides of the idea of intervention. The unique conditions created by Israel's near-total re-occupation of the West Bank, continuing Palestinian violence against Israeli civilians, the pervasiveness of Israeli settlement construction throughout the West Bank, and international concern that Palestinians and Israelis are no longer able to disengage on their own has begun to create this convergence of opinion on international intervention. However, the convergence is not yet complete and may not be deeper than headlines. Two Israeli political parties and numerous Palestinian officials and civilians have begun to endorse various concepts of international intervention, sometimes even using similar terminology but with vastly different expectations on the meaning of intervention, its purposes and interpretation of the details defining any mission.

Expectations: Israelis most commonly expect an international intervention to provide them with personal security from terrorism. Nonetheless, there are significant disagreements among Israelis with regard to the various components of an international intervention. Palestinians fundamentally expect an international intervention to provide them with freedom from Israeli occupation and to be a step on the road to full independence in a Palestinian state, comprised of the West Bank and the Gaza Strip. The

international community has achieved consensus that both goals are legitimate. Obviously, any international intervention that serves only the interests of one party and not the other will be counterproductive and possibly disastrous.

Nevertheless, the inescapable bottom line is that both parties increasingly realize they cannot end the conflict without third party assistance and polls indicate that the majority of both societies want an end to the conflict in accordance with the vision of two states living side by side. The various aspects of international intervention strategically, operationally and tactically need to be systematically assessed to determine whether this convergence can be increased.

<u>Concerns About Intervention</u>: One concern for any international intervention is achieving the minimum level of intervention necessary in any context for it to be effective. In the past, the international community has often used an approach of incrementalism, applying too few resources to a conflict, relying more on hope than realism, requiring a much greater subsequent intervention. The United Nations Protection Force in Bosnia and Herzegovina was an example of the disastrous consequences of such an approach.

Another concern is that any comprehensive and effective intervention might allow political leaders to avoid confronting the hard political questions that are central to resolving the conflict. This could freeze the status quo in a long-term interim manner, creating short-term stability at the risk of longer-term and more significant instability. Whatever kind of intervention is deployed, it must be within the context of the larger geopolitical scheme to end the conflict. That is, intervention must be coupled with a political peace process in the form of permanent status negotiations.

A third major concern of any intervention is how its failure in execution could make a permanent status agreement more difficult to achieve. Such a failure could increase Israel's perception of its right to intervene on an even more indefinite basis, jeopardize the prospect of third party intervention to underwrite a permanent status agreement, and promote Palestinian resort to violence.

A fourth concern is whether international intervention has the capacity (viability and feasibility) to alter the current strategic landscape in the West Bank and Gaza Strip, thereby ultimately paving the way for immediate political, economic and social changes, or whether the harsh conditions under Israeli occupation will continue to persist without an end in sight. This is a primary concern of the Palestinian population at large.

A fifth concern is the fear that any international intervention will overlook the local dynamics and power structures within the West Bank and the Gaza Strip, as well as the Palestinian security sector especially when it assumes operational duties, both of which are an integral part of third party engagement.

A sixth concern focuses on the fight against terrorism and the prospect for a viable Palestinian state. Israelis often question the capacity of international forces to fight terrorism effectively, using, where essential, the necessary means to prevent terror attacks

on Israel. Israelis also question the capacity of an international intervention to create an effective structure of Palestinian governance that will have the ability to ensure law and order and security en route toward resolving the conflict.

Question of Commitment: The probability may still be low that Israel and/or the United States will be prepared to support an effective level of international intervention at this point. Furthermore, some argue that the United States may question the seriousness of the parties to want to end the conflict, and therefore can only promote policies designed to manage the conflict. Without some level of agreement between the parties, in this view, it is premature to consider an intervention. Others argue that US policy, in supporting a "roadmap" to Palestinian independence and Israeli security, is a precursor to intervention as no one expects any roadmap to be implemented by the parties alone. Some have noted that international pressure on the parties to accept an effective intervention will not be likely unless there is a catastrophic event, such as an even more severe humanitarian crisis among the Palestinians, including possibly an expulsion of the Palestinian government, a "mega-terror" attack against Israel, or destabilizing developments from a possible war with Iraq.

Possible Opportunities: Despite these concerns, there is nevertheless a minimum willingness on the part of all parties to engage on some level on the question of international intervention. There is already significant political, economic, and security involvement by international personnel in the West Bank and the Gaza Strip. This willingness to employ an international intervention, regardless of the level, by all the necessary parties, suggests there will be (and may already be) opportunities for an effective level of international intervention. The difficult work of analysis, conceptualization and planning needs to be done now so that those opportunities can be seized when they arise. Part of this process includes identifying linkages between sectors and aspects of a mission to better determine unintended consequences and prepare for various contingencies. Doing so is a core feature of comprehensive campaign planning that is an imperative precursor to deployment if a mission is to be at all effective.

III. Operational Factors and Considerations

Harmonization and Coherence

Existing Structures: There are currently several overlapping, but functionally independent, international and local elements operating in the occupied territories. The structure of the Palestinian Authority is still present even though it currently lacks capacity to exercise many of its most fundamental tasks. Structurally however, the recent reform effort has paradoxically strengthened and improved some Palestinian institutions such as the Ministry of Finance, even as overall control has become theoretical.

The donor community, including the World Bank, created an independent structure composed of all major donors, called the Ad-Hoc Liaison Committee (AHLC), which

was previously responsible for development aid but is now concerned with attempts at providing humanitarian assistance whenever possible.

The creation of the Quartet, composed of the United States, the United Nations, the European Union, and the Russian Federation has created a separate but overlapping hierarchy to oversee Palestinian reform with on-the-ground personnel.

The European Union is utilizing an informal but fairly effective security conflict resolution team which is dealing with micro-security issues on the Palestinian side, including organizing and promoting cease-fire talks.

The United States, with the support of Egypt and Jordan, has created a separate and autonomous "Security Committee" to deal with security sector reform among the Palestinian security forces.

In other words, there exists a relatively significant local or on-the-ground international presence in all civilian and security areas, numbering over 1,000 personnel. However, there is no real capacity to implement any of its formal and informal mandates and no overarching mechanism to ensure harmonization or clearly defined relationships.

Any international intervention will have to determine its relationship to the various existing structures, local and international, in advance and obtain the maximum degree of consent possible in order to best orchestrate the international mission. In light of the environment, it may be necessary for an international mission to consider which functions need to be fully taken over and which can be re-empowered through or with the existing structures.

Incrementalism and Coherence: One of the greatest fears of international personnel serving in interventions is incrementalism. Incrementalism is often politically more expedient as it allows a nation to send in minimum numbers of personnel on very limited missions. As the situation deteriorates and the mission begins to fail, greater and greater resources are deployed in piecemeal fashion in an attempt to find the minimum involvement necessary to manage or even stabilize a conflict. Such a process creates significant danger to the international staff present on the ground and may create overlapping and ultimately incompatible missions as the involvement increases.

The several forms of international involvement already existing are the result of several separate incremental approaches to intervention in the Israeli-Palestinian conflict. Some are working on the strategic level, some on the operational level and some on the tactical level. All are fundamentally disconnected from one another structurally, although there may be overlapping personnel and extensive consultations on any particular issue. The Security Committee, for example, is disassociated from the reform effort on promoting rule of law or an independent judiciary as it is from virtually every other arm. European Union involvement in micro-managing security problems in particular areas is disassociated from US attempts to promote security sector reform. There is no institution or individual responsible for overseeing the entire enterprise, no overall mission mandate,

and no political goal related to resolving the conflict or even fundamentally stabilizing the situation on the ground.

This ad hoc incrementalism is neither bottom-up nor top down. It is sporadic and disconnected. There are discussions among the Quartet to consider ways of connecting the existing structures into some coherent structure in light of the overlapping and expanding requirements of the "roadmap." However, the roadmap creates almost impossible objectives for the recreation of civil society, a democratic polity, and a renewed and empowered security sector that can provide Israel with protection while avoiding demands on improvements in the conditions that have made these sectors collapse. Furthermore, the existing architecture on the ground is based on efforts to promote reform but not to implement changes. Creating vertical and horizontal relationships between the various mechanisms will not necessarily change that fact.

There is a wide gap between the current incrementalism and the range of intervention options leading up to "trusteeship" (a governing transitional administration that assumes civic, economic and security responsibilities). A critical mass point may exist along this spectrum, which may be the result of a catastrophic event, that results in a more robust form of third party intervention. Intervention at this point should be newly organized, and not the result of the preceding incrementalism, or it will be ineffective.

Mission Contours

Key Elements: Regardless of the type of intervention—whether monitoring and verification, traditional observation and peacekeeping, through to military enforcement and civilian "trusteeship"—there may be some key elements that are the same in each. Careful consideration of each category of operation as it might deploy in the current environment will help determine the key elements. Planners can start preparing for deployment according to these constants. For example, all will agree even at this date that a security and civilian element are both crucial elements of an integrated structure.

Uniqueness of Mission: While lessons from previous missions can be adapted to each new operational environment, the tendency to apply blueprints from those missions has to be resisted. Each mission concept needs to be carefully fitted to the evolving reality on the ground.

Purpose of Intervention: Any international intervention in the context of the Israeli-Palestinian conflict needs to have a clear purpose. Lack of precision will hinder all operational tasks. A defined purpose will help give legitimacy to the mission and manage expectations of the parties. It will also facilitate effective implementation of the mandate that will further promote the legitimacy of the mission.

Simultaneity: All parties recognize to different degrees that the security, economic, and political fronts need to be simultaneously addressed. This comprehensive approach will have to be part of the international mission's mandate. The intervention may also be organized according to operational phases, in light of international expectations for

various levels of progress over the coming years leading to Palestinian independence and a permanent status agreement.

Scope of Activity: Within the context of this conflict, an international intervention will need to determine whether it has as its goal the facilitation of an Israeli withdrawal from Palestinian territory in the absence of an agreement or as a result of an agreement. Is it to also promote Palestinian independence in the absence of an agreement or as a result of an agreement? Is it to only stabilize the situation or to provide a means and a mechanism to promote a permanent status agreement between the parties? In the process of stabilization, will the mission assume tasks to normalize Palestinian daily life, help rebuild Palestinian political structures, and promote a process leading to implementation of a political vision? What role will the international intervention play in the freezing of Israeli settlement activity and even in the withdrawal of settlements? What role will the intervention play in preparing for a post-permanent status agreement phase that may require international forces? Can the international intervention begin preparing and pre-positioning for tasks the parties may request of them even in advance of a full permanent status agreement?

Much can be done with minimal forms of international intervention, including: monitoring of withdrawal areas; Palestinian reform; humanitarian assistance; and training of Palestinian security services. However, these can be only partial elements in the context of a minimal level of intervention necessary to address the full range of ground conditions.

Long-Term Mandate: The mandate of an international intervention in the short term will need to be developed in relation to the longer-term engagement of the international community after the conclusion of a permanent status agreement. It is very likely that elements of an international mission may be requested by the parties to stay on after a permanent status agreement to continue to perform particular tasks or perhaps to take on new ones, such as serving as a trip-wire force. International attention and interest will inevitably decrease as the situation is stabilized. However, stagnation in the mission will also lead to increasing challenges to it in the absence of concrete milestones that keep the effort focused and promote continued progress to the political goals set forth in the mandate, such as the creation of a Palestinian state in the West Bank and Gaza Strip living side by side with the state of Israel.

Publicity Campaign: The purpose, mandate and scope of responsibilities of an international intervention will need to be communicated to the populations of each side to avoid unrealistic expectations and to foster cooperation with the mission.

Mission Leadership: Only a small group of countries have the capability to lead a major civilian and/or military intervention. Only the U.S. as head of a coalition or U.S. leadership within NATO will be acceptable to Israel. However, the EU may be able to play a lead role on the civilian administration side if it can develop the institutional capacity to deliver the necessary cadre of individuals.

<u>Political Leader</u>: It is critical to select the right international leader of the overall enterprise from the beginning. To ensure harmonization, the civilian leader must be in charge of all civilians from international organizations and agencies in the West Bank and the Gaza Strip, as well as the military forces. The leader must be prepared to commit for several years to this consuming task. For instance, the current "Bush vision" and Quartet "roadmap" call for a permanent status agreement between Palestinians and Israelis to be concluded by June 2005. This individual's leadership should be aggressive, engaged, interested, and thick-skinned. Most importantly, the leader must have a maximum level of political independence and the support of the Quartet parties, the parties to the conflict, and participating members. This requires a person who is strong and comfortable in the area of politics within a dynamic operational context.

<u>The Right Team</u>: The right headquarters team and mission staff is needed from the beginning. Selection should be based on competence rather than individual loyalty. The first group in country will likely dictate the subsequent pattern of international action.

<u>Composition</u>: Only a small group of countries can deliver the necessary assets, civilian and military, to accomplish the kind of mission required. Constabulary forces—or policing units with military status—as well as armies with high- and/or low-intensity capabilities are in high demand and low supply.

On the civilian side, no nation or international organization has shown the capacity or capability to rebuild a civil administration infrastructure, if that is the level of intervention selected, although the United Nations has attempted this in a number of places. Neither NATO nor the European Union have as yet the political and administrative facilities to field a major civilian mission likely called for in this conflict. The United Nations has the underlying structures to field such a mission but it is not clear that they have the capacity for interventions where the mission must reconstitute national and local authorities and build a state. Just as an ad hoc agency was created to administer the inspection regime with the U.S.-Soviet INF Treaty, or the Multinational Force and Observers (MFO) was created to monitor and verify the military provisions of the Israeli-Egyptian peace agreement, a similar effort is needed if one nation or regional organization is going to lead this effort.

<u>Timetable</u>: Peace operations have been ineffective in the past because they have been mandated according to timelines that are unrealistic given the tasks to be accomplished. Timetables should be performance-based for both parties as well as the international mission, but target dates need to be set to provide a continuing incentive for performance as well as to help ensure public support. The timetable should be formed around milestones along operational sequencing lines developed as part of a comprehensive campaign plan.

<u>Source of Authority and Sovereignty</u>: One of the most critical and controversial issues in an international intervention is the source of the authority of the intervention to exercise its powers and responsibilities. Some see the source coming from the Palestinian people temporarily given to the international intervention. Others view the source of the

authority as the United Nations Security Council while a third view holds that the source of authority lies in an agreement between Israel and the PLO. However, the prospects for this kind of an agreement is diminished as the Palestinian side continues to fragment so there is no clear interlocutor from which to obtain consent. Secondly, where will Palestinian "sovereignty" reside during any transitional period before the conclusion of a permanent status agreement?

Geographic Scope

Geographic Overlap: Prior to a permanent status agreement, there seems to be a sweeping majority of Israelis in favor of withdrawal from Areas A and B and even beyond in the context of de-escalation efforts. The minimum Palestinian expectation for Israeli withdrawal, prior to a permanent status agreement, is Areas A and B plus. Palestinians expect international deployment over the entire West Bank and Gaza Strip. Planning should consider various permutations in scope of withdrawal and deployment. For instance, if the international mission is deployed throughout the West Bank and Gaza Strip, it may have different responsibilities in areas from where Israel has withdrawn and from where it has not. It may have full security responsibilities in areas from where Israel has withdrawn, and only monitoring and verification tasks in areas where Israeli troops remain.

Centralization/Decentralization: The West Bank and the Gaza Strip have been physically divided from each other since the creation of Israel in 1948, resulting in different cultural, economic, and political trends. This differentiation was exacerbated by the occupation of the West Bank by Jordan and of Gaza by Egypt, each of which applied its own laws and systems of rule to the territories. Israeli occupation in 1967 of both territories did little to harmonize the Palestinian areas, particularly as, over the past few years, travel for Palestinians remained severely restricted and often impossible between areas. The process of national assimilation between the two areas, begun with the creation of the Oslo process, has ended with the current hostilities. The eight largest West Bank population centers are now effectively cut off from each other and the Gaza Strip is divided into three separate cantons by the IDF. Any international intervention will need to take into account the resources and capacity necessary to recreate a functioning national administration with a common set of laws and active interaction among those areas freed from Israeli occupation.

East Jerusalem: The status of Jerusalem is formally a permanent status issue. The present government of Israel claims the whole of Jerusalem as its capital and Palestinians claim the eastern half occupied in 1967 as their capital. The process of reintegrating East Jerusalem into the center of Palestinian economic, cultural and national ethos during the Oslo process also came to an end with the current conflict. Israel has now shut down Palestinian institutions in the eastern part of the city that provided many civilian administration tasks. Any international intervention will have to find creative ways of not prejudicing permanent status negotiations during a transitional period given the potential scope of its responsibilities.

Regional Situation: The two neighboring countries, Egypt and Jordan, are concerned about the on-going instability and fragmentation caused by the current situation. Jordan, in particular, is sensitive to its goal of maintaining a peace treaty with Israel while at the same time accommodating its population's (the majority of which are originally Palestinian refugees) support for Palestinians. Both countries would be expected to provide significant support to and possibly participation in some parts of an international mission, which would permit the mission to provide ground support through both Jordan and Egypt. An overall policy will require cooperation with these countries in addition to its relationship with Israelis and Palestinians.

Civilian Authority and Administration

Palestinian Authority: It is an operating assumption that an international intervention will need to rebuild the elements of a Palestinian Authority. However, there is a fundamental difference of opinion about whether an international intervention aims to rebuild the Palestinian Authority along the lines that have existed or to replace it with a new leadership altogether. Israel may object to an intervention that does not do the latter. Palestinians are against an international intervention that constitutes a leadership that will then have to negotiate permanent status issues. Alternatively the existing structures may be retained, while new individuals are selected through popular elections.

Transitional Administration: The question will have to be addressed of how the territory is to be governed between the time of Israeli withdrawal from any areas and the conclusion of a permanent status agreement. There are varying arrangements and degrees of intrusiveness in which an international administration and Palestinians share different measures of responsibility. There will be a tendency amongst international interveners to focus on a national executive, legislature and judiciary. However, the frontline of transitional administration is at the local level, where the legitimacy of governing institutions needs to be built if they are to have any chance of success.

Fragmentation and Intrusiveness: As the fragmentation of the Palestinian Authority increases, the intrusiveness of international intervention increases in order to be effective. There are four escalating degrees of intrusiveness in the international exercise of political authority, including: *assistance* to weak local authorities (as now in Afghanistan); *partnership* with a coherent national liberation movement or withdrawing occupier (as in Namibia); *control* of divided factions (as in Cambodia); and finally the total but temporary *governorship* of territory and its population (as in Kosovo and East Timor). The standard by which to measure when to transfer the powers assumed internationally to a Palestinian authority is rooted in both an adequately functioning level of administration and a sufficient amount of capacity built.

Local Power Structures: A profound dilemma exists at the level where local government has to be rebuilt, to ensure genuine popular participation, which is not adequately addressed by the single event of a national or municipal election. Does the international intervention confront existing centers of power that have emerged, in order to conduct a significant degree of social engineering in the establishment of governing institutions? Or

rather, does the intervention rely on those centers of power, which may be abusive or not representative, but still have a degree of indigenous legitimacy, as the basis for rebuilding? The answer may be a longer-term transition at this level in which space for popular participation is created without establishing an entirely new order, that would lack legitimacy and become altogether disconnected from the people.

For example, it seems local political legitimacy is gained through the role actors play in providing support services to the Palestinian community and their ability to provide a voice to Palestinian resistance to occupation. For a considerable period of time, this meant affiliations with the Palestine Liberation Organization, considered the "sole and legitimate representative of the Palestinian people." After the elections for a Palestinian legislature and president in 1996, a new cadre of Palestinians gained some legitimacy through a democratic process for the first time. Today however the situation is much more complex, with two major organizations outside the PLO and the Palestinian Authority structure, Hamas and Palestinian Islamic Jihad, playing prominent roles in providing services as well as promoting and supporting attacks on Israeli civilian and military targets. Any successful intervention will have to integrate institutions, or those parts of institutions considered "legitimate" by the Palestinian public as well as by the international community, into its approach.

Designing Local Governance: There are two critical assessments to conduct in advance of the planning of an international intervention. The first needs to determine what 'traditional' or local power and social structures have existed throughout history, how they have developed up to the present, how they have been altered as a result of conflict, and what are the dynamics of the currently evolving distribution of power. The second needs to determine the prevailing local perceptions regarding who is supposed to hold power and why. Only this understanding of local political concepts can enable planners to determine the design of well-functioning and popularly acceptable governance structures with genuine participation of a population in the state apparatus. When designing the local governance structure, it will be important to acknowledge indigenous and prevailing concepts and institutions, while at the same time creating space for them to be able to gradually transform according to a sense of civic responsibility within a state society. Only through such a process can the idea of "citizenship" begin to make sense.

Local Conflict Resolution: By appreciating why people are motivated to legitimize national, factional or other local leaders, planners will better understand the motor behind internal Palestinian conflicts. Therefore, assessing and managing local dynamics will enable interveners to prepare for internal security, including preventing and resolving a myriad of sources of violence. It will also help build unified security structures and contribute to the foundations for establishing the rule of law through popular adherence to judicial institutions.

Security Dimensions

Palestinian Security Sector: The Palestinian security apparatus is composed of numerous intelligence and security agencies. Their mission and organizational placement within the

Palestinian Authority has remained largely undefined, causing much duplication and functional overlaps. For example, some have never had functioning powers, others had competing missions, many operated independently and nearly all report directly to Arafat. In addition, there are armed militias that are not subordinated to the Palestinian Authority.

Prior to the eruption of the Palestinian uprising, a number of security agencies had proved to be reliable and effective. 'Preventive Security' in the West Bank and Gaza Strip, with the assistance of the American Central Intelligence Agency, exchanged intelligence information and maintained strong cooperative relations with Israeli intelligence agencies, and the 'Police Forces' maintained a certain level of public order and security.

The current Palestinian reform plan—in conjunction with international plans—is to integrate all agencies that serve the interests of security into three main bodies. Preventive Security Services, Police Forces and Civil Defense will fall under the jurisdiction of the Ministry of Interior, while General Intelligence and Public Security will continue to report directly to Arafat. At present, the objective and aim of reform is to centralize command and control of the security apparatus and to supervise and implement security sector reform on all fronts. In addition, the plan calls for considerable downsizing of forces, separation of powers, training and technical assistance, the establishment of a National Security Council and the creation of real budgets and oversight committees with financial and budgetary powers.

Limited Reform Results: The implementation of reform plans to re-organize the structure and composition of the security apparatus and its hierarchy and relationship vis-à-vis the political leadership has been slow and sometimes counterproductive. The security apparatus in the West Bank and Gaza Strip—while operational in name only—continues to disintegrate at a very fast pace, possibly paving the way for total collapse and the emergence of military-oriented organizations that could very well jeopardize official Palestinian security and paramilitary agencies. In the current conditions, Palestinian police forces do not have the ability to exercise control in the West Bank and control in the Gaza Strip is very limited and to some extent untested. Palestinians do not necessarily have much respect for the professionalism and code of conduct of either Israeli or Palestinian security forces. This will need to be taken into account in the re-creation of an effective and robust, disciplined and integrated security sector that gives its loyalty to the Palestinian state and serves the interests of the Palestinian people.

Constraints: There have been a number of constraints to the success of security sector reform. In the present circumstances of on-going conflict, Palestinian security personnel and international officials are finding it extremely difficult to implement or become involved in any type of meaningful reform in the security sector. Palestinian forces have effectively been prevented by Israel from reaching crucial Palestinian areas in order to perform functions related to security sector reform and to receive training. As a result, Palestinian police forces are incapable of enforcing the law or maintaining order. Furthermore, the Palestinian security infrastructure has been severely damaged over the past two years. Damaged infrastructure includes barracks, bases and prisons, government

centers, information databases and equipment. Such actions have undermined the credibility and morale of Palestinian security forces, and continue to cause further deterioration to the chain of command and to the overall status of the security apparatus, and will ultimately hinder and jeopardize future Palestinian and international efforts to establish an effective security sector.

A second constraint is the lack of available financial resources. Limited funds and the absence of oversight committees to monitor expenditures are eroding Palestinian ability to rebuild the forces and infrastructure necessary for reform and for the maintenance of internal security, law and order. The donor community is reluctant—for operational reasons and possibly due to political ramifications—to provide financial assistance, even modest funding, to the Palestinian Authority absent Israeli assurances that it would not destroy new facilities or imprison and assassinate highly trained security and intelligence officers. The donor community is simply not interested in going down any path that may potentially prove to be politically counterproductive or a waste of donor assistance.

A third constraint is the conduct of the Palestinian leadership and its will to confront radical armed groups operating in the West Bank and Gaza Strip, which may ultimately jeopardize future attempts to effectively reform the security sector. Without a shift in this stance, Palestinian security sector will fall short of what is required to generate change from the Israeli perspective.

Furthermore, there is a lack of harmonization in relation to security sector reform on all fronts. The Quartet established seven Working Groups to address the areas that require reform. While security sector reform is now a part of the Quartet's reform structure, it is nevertheless a separate task force and was created months later, with its own reporting structure and mechanism. This separation does not allow for much coordination with respect to planning and implementation vis-à-vis the seven Working Groups, further impeding reform efforts.

Multiple Elements: Any third party engagement must take into consideration a number of elements. Palestinians would expect an objective of an international mission to be strengthening performance and improving the existing structure in order to create a strong, robust security sector that can satisfy the concerns of both sides. This is not simply an exercise in providing training on security-related activities and intelligence gathering. It has to do more than what is currently being done. Israelis would probably expect nothing less than the consolidation of the armed factions within Palestinian society under the unified command and control of the Palestinian leadership. All other armed factions would have to be effectively dismantled.

Civil Aspects: Third party engagement must consider the civil aspect in order to invigorate civil society and encourage civilians to become involved in the security sector. There also is a strong need to establish real budgets for the security sector and budget oversight committees for transparency and accountability purposes. Whatever structure and mechanism created for cooperation and coordination amongst international forces

and the local security sector must be capable of adjusting in accordance to local changes on the ground, both political and security sector-related.

Military Forces

Order and Confidence: Military forces will be a likely component in providing security. It is imperative that the mission of these forces be seen by the Palestinian public in the context of the larger process of allowing other functional areas to develop. Military operations should seek to build confidence with the local population in this larger process through their presence in order to guarantee the creation of political space. The military forces will provide order and their force design and size should be determined by the degree of consent, risk to international workers and supplies, risk of infiltration into Israel, risk of attacks on Palestinians, and the degree of the rule of law. Military forces need to report to a political authority to facilitate harmonization of the international intervention.

Unique Deployment Factors: In the West Bank, there are approximately 1.8 million Palestinians divided into 8 urban centers, each surrounded by dozens of rural villages. In the Gaza Strip, there are approximately 1.2 million Palestinians residing in 360 square kilometers, making it the most densely populated area in the world and one of the most impoverished. Furthermore, 7000 Israeli settlers utilize exclusively nearly one third of the Gaza Strip. There are over 200,000 Israelis in approximately 140 settlements in the West Bank and Gaza Strip combined. In addition, there are over 200,000 Israelis in areas annexed to Jerusalem from the West Bank by Israel after 1967. These figures do not include IDF deployments.

The placement of Israeli settlements is often adjacent to and in between Palestinian population centers. This geographic reality renders contiguous territorial deployment by international forces impossible without jurisdiction over or the dismantlement of settlements. Some of the most sensitive flash points are where Israeli settlers and Palestinians live next to each other. The current distribution of settlements would place international forces in an untenable position outside a political agreement to freeze settlement construction and to dismantle some.

Hard Questions: There are a number of hard questions related to the actual operation of any international intervention that need to be answered clearly by the parties and the international contributors in the context of military and other security tasks. Planning needs to be based on the worst-case scenario in any situation. The answers to these questions will determine the mandate, types, numbers, and rules of engagement of military and security forces.

These hard questions are virtually certain in some cases to generate different responses from Palestinians and Israelis, and indeed from potential force contributing nations. In some cases, one of the parties may not only accept but insists that the international forces take on a given task. In other cases, one of the parties may rule it out. The acceptance or

rejection of any task by the parties and contributors will affect the design of the mission's force structure.

These questions include, for example:

- Will international forces man and operate checkpoints into Israel and/or between Israeli-controlled areas and areas from which Israel has withdrawn?

- Will international forces defend Palestinian civilians from being attacked by Jewish extremists?

- Will international forces defend Israeli settlements from being attacked by Palestinian extremists?

- Will international forces disarm Palestinians? Jewish settlers?

- Will international forces have the authority to arrest armed Israelis? Armed Palestinians?

- Will international forces have a responsibility to provide for the security of UN personnel, NGO personnel, and other international staff engaged in the area of operation?

- Will international forces monitor and liaise with the IDF? With Palestinian security services?

- Will international forces train and equip Palestinian security services?

- Will international forces remove settlements and prevent the establishment of new ones?

- Will international forces take direct action against the organizational structures of Hamas, Palestinian Islamic Jihad, militant Jewish settler groups, and other groups engaged in promoting violent attacks and/or against individual persons or cells within those organizations?

- Will international forces be involved in military and/or civil engineering projects necessary for the promotion of the mission?

- Will international forces take direct action against IDF or Palestinian security services?

Reciprocity and Symmetry: In answering these questions, the tendency will be for Palestinians to expect reciprocity by the international mission in the performance of its tasks. Palestinians will note that many more Palestinians are assaulted by Israelis than vice-versa and that international attempts to protect Israelis must be parallel to attempts

to protect Palestinians. Palestinians will expect the international mission to be an "objective" force, creating space for political changes in both communities that will promote the goal of two states living side by side. The tendency of the Israelis will be to argue that there is no equivalence. Israelis will want the international intervention to establish Palestinian governing structures that are transparent, accountable and that maintain a unified structure of command over all armed forces in Palestine, which will aggressively oppose any renegade groups. This may be viewed as a *sine que non* by Israel for any international intervention. The tendency will be also to expect limits on international jurisdiction over Israeli citizens or at least within areas where the IDF is still deployed.

Rule of Law

Reestablishing the Rule of Law: International intervention in the West Bank and the Gaza Strip needs to take into account the level of development of Palestinian expectations and understanding of rule of law. The Palestinians have recently passed an Independence of Judiciary Act that reflects a considerable advancement in providing the structures for the rule of law. It would be a mistake to ignore Palestinian accomplishments to date and assume a *tabula rasa* situation. There are a number of Palestinian lawyers in the West Bank and the Gaza Strip with varying degrees of competence and education. These legal professionals need to be incorporated and the Palestinian legal structure consolidated, harmonized across all areas, and resuscitated. Attempts at extra-judicial activities by any party must be vigorously resisted and punished.

Applicable Law: Israel has never accepted the applicability of the Fourth Geneva Convention to the occupied Palestinian territories. However, any international intervention will need to be explicit about applying the Convention to its conduct. This could create complications in areas in which Israeli settlers remain, in light of their classification under the Convention. At the same time, the mission needs to encourage the existing Palestinian legislative bodies to pass laws consistent with the Convention that can be applied. A primary task of the mission will be to make the "rules of the game" clear to all Palestinians and Israelis under its jurisdiction.

Economic Reconstruction

Quick Impact: A tremendous amount of investment and growth occurred in the West Bank and the Gaza Strip over the course of the Oslo process. This has effectively all been destroyed or disappeared as a result of the conflict. Both parties' support for any mission will be contingent on how quickly their lives improve. One major indicator of that will be rapid and sustained development. This will have to take into account the economic inflation inevitably caused by the influx of international personnel. There will need to be a heavy emphasis on providing immediate economic development aid (as opposed to humanitarian assistance) to the majority of the Palestinian population that is poverty stricken and which has become under-educated as a result of the prolonged closures of Palestinian educational centers.

Cross-Cultural Aspects

Major Trends: The international mission will need to be sensitive to major cultural and political trends in the West Bank and the Gaza Strip. On the Palestinian side, for example, there are large secular and urbane communities, as well as traditional and conservative ones, particularly in areas of the Gaza Strip. On the Israeli side, for example, there are secular and urbane communities composed primarily of settlers who came to the West Bank seeking a better quality of life and a cheaper cost of living, provided for by government incentives, as well as ideological, religious, and nationalistic communities. In some ways the mission will find much more in common between secular Palestinians and Israelis and between traditional Palestinians and Israelis than between their respective co-nationals. In both cases, the mission must find ways to respect the religious and traditional beliefs of all under its jurisdiction without allowing them to be used to hinder the implementation of its mandate.

Anthropological Advisors: Architects of an international mission will need to use anthropological advisors in the development of plans and in their execution to help identify the reality of the ground situation, without recourse to facile stereotypes. The situation must be looked at holistically. The employment of anthropological expertise will be particularly crucial in developing a legitimate and effective approach to building governing structures at the local level.

Actions Create Symbols: An information campaign has to be developed that conveys a well-defined commitment with a defined end-state. The impression to be communicated is that the international presence is completely committed to fulfilling its mandate and that it is serving the interests of both a secure Israel and a free Palestine. Both Palestinian and Israeli communities are very politicized, and like all peoples, can become highly emotive during times of crisis in which appeals to negative emotions are extremely effective. The mission must create a new standard for both Palestinians and Israelis of the sacredness of human life and the inviolability of non-combatants, to replace the blood lust for revenge so pervasive in both communities, through its own actions and example as well as through the public information campaign.

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